

REMARKS

Claims 1-23 are pending in the application.

Claims 1-23 have been rejected.

Claims 1, 7, 13 and 18 have been amended.

Unless otherwise specified in the below discussion, Applicants have amended the above-referenced claims in order to provide clarity or to correct informalities in the claims. Applicants further submit that, unless discussed below, these amendments are not intended to narrow the scope of the claims. By these amendments, Applicants do not concede that the cited art is prior to any invention now or previously claimed. Applicants further reserve the right to pursue the original versions of the claims in the future, for example, in a continuing application.

Rejection of Claims Under 35 U.S.C. §112

Claims 1-23 stand rejected under 35 U.S.C. §112, second paragraph, as purportedly being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention.

The Office Action rejects independent Claims 1 and 7 on the basis that the limitation “receiving the commercial loan application data via the network communication link” is purportedly unclear as to whom or what is performing the receiving. *See* Office Action, p.2. While Applicants do not concede that the claims are indeed deficient, Applicants have amended independent Claims 1 and 7 to indicate that the data is being received from the client system, as suggested by the Office Action.

The Office Action further rejects independent Claims 13 and 18 on the basis that the limitation “receiving a user interface via a network communication link” is purportedly unclear because it is unclear whom or what is performing the receiving. *See* Office Action, p.3. While Applicants do not concede that the claims are deficient for lacking the performer of said receiving, Applicants have amended Claims 13 and 18 to indicate that the claimed receiving is performed at a client system, as suggested by the Office Action.

Rejection of Claims Under 35 U.S.C. §103

Claims 1-4, 6-10 and 12-23 stand rejected under 35 U.S.C. §103(a) as purportedly being unpatentable over U.S. Patent No. 5,699,527 issued to Davidson (“Davidson”), in view of U.S. Patent No. 7,257,581 issued to Steele et al. (“Steele”). Applicants respectfully traverse these rejections.

In order for a claim to be rendered invalid under 35 U.S.C. §103, the subject matter of the claim as a whole would have to be obvious to a person of ordinary skill in the art at the time the invention was made. *See* 35 U.S.C. §103(a). This requires: (1) the reference(s) must teach or suggest all of the claim limitations; (2) there must be some teaching, suggestion or motivation to combine references either in the references themselves or in the knowledge of the art; and (3) there must be a reasonable expectation of success. *See* MPEP 2143; MPEP 2143.03; *In re Rouffet*, 149 F.3d 1350, 1355-56 (Fed. Cir. 1998).

Independent Claims 1 and 7, as amended, each contain substantially the following limitations:

communicating a user interface to a client system via a network communication link, the user interface including a plurality of user interface displays configured to capture commercial loan application data; receiving the commercial loan application data from the client system via the network communication link; storing the commercial loan application data in a storage device; and communicating at least a portion of the commercial loan application data to the client system to pre-populate at least one data field of one of the plurality of user interface displays.

See, e.g., Claim 1 (amended). Applicants respectfully submit that neither Davidson nor Steele, alone or in combination, provides disclosure of all these limitations.

Independent Claims 1 and 7 provide for receiving commercial loan application data from a client system and then storing that received commercial loan application data. Then at least a portion of that received data is communicated back to the client system where the data is used “to pre-populate at least one data field of one of the plurality of user interface displays.” *See, e.g.*, Application 14:12-15 (receiving content/data from server and generating user interface display in response); 10:8-10 (receiving content/data from server and generating user interface display in response), Figure 3 (showing the user interface display being generated after receiving content/data (elems 321, 323, 329)). Neither Davidson nor Steele disclose such functionality.

The Office Action admits that Davidson fails to provide disclosure of “communicating at least a portion of the commercial loan application data to the client system to pre-populate at least one data field of one of the plurality of user interface displays.” *See* Office Action, p.4. In order to supplement this deficient disclosure, the Office Action relies upon the following section of Steele. *See* Office Action, pp.4-5.

In alternative embodiments, the network device may comprise a vendor server interacting with a client device. In such embodiments, the vendor server may execute a server-side application for interacting with the database management system of the host server. The server-side application may receive the filtered consumer information elements from the database management system and integrate the filtered consumer information elements into a vendor's business process on behalf of the consumer. For example, the server-side application may auto-populate the filtered consumer information elements into at least one input field of the web page file and may transmit the auto-populated web page file to the browser for display to the consumer. Any edits or additions to the consumer information elements that are made by the consumer may be passed to the server-side application and then on to the host server for appropriate storage in the information account. Further attributes and advantages will become apparent from the following detailed description of certain exemplary embodiments, the appended drawings and the claims.

Steele 2:57-3:9 (emphasis added). The cited section of Steele provides for a “host server” purportedly maintaining a database of information. Steele 2:60-61. Steele further provides for a “vendor server” that purportedly interacts with both the host server and a “client device.” Steele 2:57-61. Steele’s vendor server then purportedly integrates information from the host server into a business process (e.g. a web page) and transmits generated content from the business process to the client device. Steele 2:61-65. The cited text cites an example of the vendor server “server-side application may auto-populate the filtered consumer information elements into at least one input field of the web page file and may transmit the auto-populated web page file to the browser for display to the consumer.” Steele 2:65-3:2. Thus, the cited section of Steele provides for the vendor server performing a pre-population and not the client computer performing the pre-population.

Independent Claims 1 and 7 provide for transmission of the data to the client computer, where the pre-population of the fields is performed. This is contradictory to the disclosure provided in the cited section of Steele, therefore Steele cannot be said to

provide disclosure of the “communicating at least a portion of the commercial loan application data ...” limitation.

For at least these reasons, Applicants submit that neither the cited sections of Davidson nor the cited sections of Steele, alone or in combination, provide disclosure of all the limitations of independent Claims 1 and 7, and all claims depending therefrom (Claims 2-6 and Claims 8-12), and that these claims are in condition for allowance. Applicants therefore respectfully request the Examiner’s reconsideration and withdrawal of the rejections to these claims and an indication of the allowability of same.

Independent Claims 13 and 18, as amended, each contain a limitation of substantially the following form: “receiving at least a portion of the commercial loan application data at the computer system from the server to pre-populate at least one data field of one of the plurality of user interface displays.” As with Claims 1 and 7, the Office Action admits that Davidson fails to provide disclosure of this limitation and relies upon the above discussed and quoted section of Steele as purported disclosure. *See* Office Action, pp.6-7.

For the reasons discussed above, Applicants submit that neither the cited sections of Davidson nor the cited sections of Steele, alone or in combination, provide disclosure of all the limitations of independent Claims 13 and 18, as amended, and all claims depending therefrom (Claims 14-17 and 19-23), and that these claims are in condition for allowance. Applicants therefore respectfully request the Examiner’s reconsideration and withdrawal of the rejections to these claims and an indication of the allowability of same.

CONCLUSION

In view of the remarks set forth herein, the application and the claims therein are believed to be in condition for allowance without any further examination and a notice to that effect is solicited. Nonetheless, should any issues remain that might be subject to resolution through a telephonic interview, the Examiner is invited to telephone the undersigned at 512-439-5090.

If any extensions of time under 37 C.F.R. § 1.136(a) are required in order for this submission to be considered timely, Applicant hereby petitions for such extensions. Applicant also hereby authorizes that any fees due for such extensions or any other fee associated with this submission, as specified in 37 C.F.R. § 1.16 or § 1.17, be charged to deposit account 502306.

Respectfully submitted,

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